



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

April 16, 2020

The Honorable Doug Collins
U.S. House of Representatives
1504 Longworth House Office Building
Washington, DC 20515

Dear Congressman Collins:

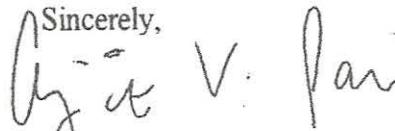
Thank you for your letter regarding the orphan county situation in your district. I have long been a supporter of over-the-air broadcast TV stations and the service that they provide to consumers. And I understand the frustrations that some consumers face when they cannot access the broadcast TV stations they desire through their satellite company—particularly during the national COVID-19 pandemic.

As you noted, in 2018, the FCC's Media Bureau granted petitions for market modification to allow for satellite providers to carry Georgia-based TV stations into Franklin, Hart, Stephens, and Elbert Counties. However, licensees of stations in South Carolina filed Applications for Review of the Bureau orders addressing Franklin, Hart, and Stephens Counties (but not the Elbert County order). The Bureau has finished its review of the record regarding the pending Applications for Review, and I am pleased to report that yesterday, I circulated a draft order for the full Commission's consideration that rejects these Applications for Review, thus affirming the Bureau's market modification decisions. I hope that my colleagues will join me soon in supporting this draft order.

The Commission's market modification rules provide stations with 30 days from grant of a petition to choose between must carry or retransmission consent for the carriage of their station into the newly modified counties. Once the election is made, satellite providers have 90 days to commence carriage unless the stations elected retransmission consent and the parties have not come to an agreement for carriage. The Commission does not have the authority to require satellite providers to carry these stations absent the consent of the stations.

It is also important to note that the pending Applications for Review do not bar either the Georgia stations or the satellite providers from agreeing to retransmission consent for carriage into Franklin, Hart, and Stephens Counties. I would encourage you to contact the Georgia stations and urge them to grant retransmission consent to the satellite providers so their signals can be carried into the orphan counties for the benefit of those Georgia citizens living there.

Please let me know if I can be of any further assistance.

Sincerely,

Ajit V. Pai